

## SB0146S01 compared with SB0146

~~{deleted text}~~ shows text that was in SB0146 but was deleted in SB0146S01.

Inserted text shows text that was not in SB0146 but was inserted into SB0146S01.

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Senator Lincoln Fillmore proposes the following substitute bill:

### CONSTABLE AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Lincoln Fillmore**

House Sponsor: \_\_\_\_\_

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#### LONG TITLE

##### General Description:

This bill ~~{modifies Title 53, Public Safety Code, by enacting the Constable Licensing Act}~~ amends provisions related to constables.

##### Highlighted Provisions:

This bill:

- ▶ repeals provisions related to ~~{constables in Title 17, Counties;~~
- ▶ ~~defines terms}~~ fees for constables;
- ▶ clarifies which local entities are authorized to appoint a constable;
- ▶ requires a ~~{license to conduct constable work within the state;~~
- ▶ creates the Constable Licensing Board;
- ▶ establishes the process and requirements for licensure;
- ▶ ~~provides for discipline of licensees}~~ nominating commission to provide notice that

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announces a county's or city's intent to appoint a constable and specifies the qualifications required to be considered for the appointment; and

- makes technical and conforming changes.

### Money Appropriated in this Bill:

None

### Other Special Clauses:

None

### Utah Code Sections Affected:

AMENDS:

~~{17-16-11}~~ 17-25-1, as last amended by Laws of Utah ~~{2007}~~ 2003, Chapter ~~{268}~~ 204

~~{17-22-25, Utah Code Annotated 1953}~~ REPEALS AND REENACTS:

~~{39-1-56}~~ 17-25a-1, as last amended by Laws of Utah ~~{1989}~~ 1993, ~~{Chapter 15~~

~~76-6-1403~~, as last amended by Laws of Utah 2014, Chapter 261

~~78A-2-305~~, as last amended by Laws of Utah 2010, Chapter 226

~~78B-7-406~~, as enacted by Laws of Utah 2013, Chapter 179

~~78B-8-302~~, as last amended by Laws of Utah 2015, Chapter 210

ENACTS:

~~53-18-101~~, Utah Code Annotated 1953

~~53-18-102~~, Utah Code Annotated 1953

~~53-18-103~~, Utah Code Annotated 1953

~~53-18-104~~, Utah Code Annotated 1953

~~53-18-201~~, Utah Code Annotated 1953

~~53-18-202~~, Utah Code Annotated 1953

~~53-18-203~~, Utah Code Annotated 1953

~~53-18-301~~, Utah Code Annotated 1953

~~53-18-302~~, Utah Code Annotated 1953

~~53-18-303~~, Utah Code Annotated 1953

~~53-18-304~~, Utah Code Annotated 1953

~~53-18-305~~, Utah Code Annotated 1953

~~53-18-306~~, Utah Code Annotated 1953

~~53-18-401~~, Utah Code Annotated 1953

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~~53-18-402, Utah Code Annotated 1953~~

~~53-18-403, Utah Code Annotated 1953~~

~~53-18-404, Utah Code Annotated 1953~~

REPEALS:

~~17-25-1, as last amended by Laws of Utah 2003, Chapter 204~~

~~Chapters 38 and 234~~

REPEALS:

17-25-2, as renumbered and amended by Laws of Utah 2001, Chapter 46

17-25-3, as renumbered and amended by Laws of Utah 2001, Chapter 46

~~{ 17-25-4, as renumbered and amended by Laws of Utah 2001, Chapter 46~~

~~17-25-5, as last amended by Laws of Utah 2012, Chapter 48~~

~~17-25-6, as last amended by Laws of Utah 2012, Chapter 48~~

~~17-25a-1, as last amended by Laws of Utah 1993, Chapters 38 and 234~~

~~17-25a-2, as enacted by Laws of Utah 1990, Chapter 44~~

~~17-25a-3, as last amended by Laws of Utah 2012, Chapter 48~~

~~{ 17-25a-4, as last amended by Laws of Utah 2001, Chapter 46~~

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section ~~{17-16-11}~~ 17-25-1 is amended to read:

~~{ 17-16-11. Fidelity bonds and theft or crime insurance:~~

~~(1) As used in this section, "county officials" means:~~

~~(a) the members of the county legislative body;~~

~~(b) the county executive;~~

~~(c) the county clerk;~~

~~(d) the county auditor;~~

~~(e) the county sheriff;~~

~~(f) the county attorney;~~

~~(g) in a county that is within a prosecution district, the district attorney;~~

~~(h) the county recorder;~~

~~(i) the county assessor;~~

~~(j) the county surveyor;~~

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~~—— (k) each justice court judge [and constable] within the county;~~

~~—— (l) the county treasurer; and~~

~~—— (m) each deputy or assistant of those listed in Subsections (1)(a) through (l) for whom the county legislative body determines a general fidelity bond or theft or crime insurance should be acquired.~~

~~—— (2) (a) The legislative body of each county shall prescribe the amount of each general fidelity bond or of theft or crime insurance to be acquired for county officials, except the county treasurer, before the county officials, except the county treasurer, may discharge the duties of their respective offices.~~

~~—— (b) The State Money Management Council created in Section 51-7-16 shall prescribe the amount of a general fidelity bond or theft or crime insurance to be acquired for the county treasurer before the county treasurer may discharge the duties of that office.~~

~~—— (c) A county legislative body may acquire a fidelity bond or theft or crime insurance on all county officials as a group rather than individually.~~

~~—— (3) (a) The county legislative body shall approve the premium for each fidelity bond before the bond may be filed.~~

~~—— (b) The cost of each fidelity bond and theft or crime insurance policy shall be paid from county funds.~~

~~—— (4) Each fidelity bond shall be filed and maintained in the office of the county clerk.~~

~~—— (5) (a) The district attorney of each multicounty prosecution district shall:~~

~~—— (i) execute a fidelity bond or acquire theft or crime insurance in the amount specified in the interlocal agreement that created the prosecution district; and~~

~~—— (ii) file each fidelity bond with the county clerk as specified in the interlocal agreement.~~

~~—— (b) The cost of each fidelity bond or theft or crime insurance policy under Subsection (5)(a) shall be paid as specified in the interlocal agreement that created the prosecution district.~~

~~—— Section 2. Section 17-22-25 is amended to read:~~

~~—— **17-22-25. Service of process on sheriff -- When constable to act.**~~

~~—— In cases where it appears in any court of record that the sheriff is a party, or where an affidavit is filed with the clerk of the court stating partiality, prejudice, consanguinity or interest on the part of the sheriff, the clerk of the court shall direct process to any constable, [of the county, whose duty it shall be to execute it] who shall execute the process in the same~~

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manner as if [he] the constable were the sheriff.

### ‡ 17-25-1. General powers and duties.

(1) [Every] A constable shall:

(a) attend the justice courts within [his] the constable's city or county when required by contract or court order; and

(b) execute, serve, and return all process directed or delivered to [him] the constable by a judge of the justice court serving the city or county, or by any [competent authority within the limits of this section] court of the state.

(2) [Any] A constable may serve any process throughout the state.

{Section 3. Section ~~39-1-56~~ is amended to read:

### ~~39-1-56. Execution of a judgment imposing a fine -- Disposition of fines.~~

~~(1) (a) When the sentence of a military court includes a fine and the sentence has been approved by the officer ordering the court, the adjutant general shall issue a warrant for the collection of the fine, directed to [the sheriff or any constable] a constable or the sheriff of the county where the person against whom the fine is imposed resides.~~

~~(b) The officer executing the warrant shall collect the fine in the same manner as [he] the officer is authorized to collect debts in civil suits. [He]~~

~~(c) The officer shall make returns to the adjutant general within 20 days after receiving the warrant.~~

~~[(c)] (d) Warrants for the collection of fines imposed by military courts shall be issued by the officer appointing the military court.~~

~~(2) All fines collected under this chapter and the regulations governing the National Guard of the United States shall be paid to the state treasurer for the credit of the state General Fund, unless otherwise provided by law.~~

~~Section 4. Section ~~53-18-101~~ is enacted;~~ (3) A constable may charge a fee to the person for whom the constable is providing service in an amount mutually agreed upon.

Section 2. Section 17-25a-1 is repealed and reenacted to read:

### {~~CHAPTER 18. CONSTABLE LICENSING ACT~~

#### ~~Part 1. General Provisions~~

~~53-18-101. Title.~~

~~This chapter is known as the "Constable Licensing Act."~~

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~~Section 5. Section 53-18-102 is enacted to read:~~

~~53-18-102. Definitions:~~

~~As used in this chapter:~~

~~(1) "Applicant" means a person who submits an application or renewal application for a license}~~ 17-25a-1. Constables -- Nomination -- Appointment.

(1) (a) The following may appoint one or more constables:

(i) the legislative body of a county; or

(ii) the legislative body of a city of the first or second class.

(b) If a county or city described in Subsection (1)(a) chooses to appoint one or more constables, the county or city shall nominate and appoint each constable in accordance with this chapter.

~~(2) {"Board" means the Constable Licensing Board created in Section 53-18-201.~~

~~(3) "Bureau" means the Bureau of Criminal Identification created in Section 53-10-201.~~

~~(4) "Commissioner" means the commissioner of public safety appointed under Section 53-1-107, or the commissioner's designee.~~

~~(5) "Constable" means a licensee who, for consideration, conducts constable work.~~

~~(6) (a) "Constable work" means serving process and conducting other work as described in Section 53-18-104.~~

~~(b) "Constable work" does not include serving process in accordance with Title 78B, Chapter 8, Part 3, Process Server Act.~~

~~(7) "Conviction" means an adjudication of guilt by a federal, state, or local court resulting from trial or plea, including a plea of no contest, regardless of whether the imposition of sentence was suspended.~~

~~(8) "Department" means the Department of Public Safety created in Section 53-1-103.~~

~~(9) "Deputy constable" means a person who:~~

~~(a) is a sworn and certified peace officer in accordance with Title 53, Chapter 6, Peace Officer Standards and Training Act; and~~

~~(b) contracts with a constable to conduct constable work on behalf and under the direction of the constable.~~

~~(10) "Emergency action" means a summary suspension of a license pending revocation.~~

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~~suspension, or probation in order to protect public health, safety, or welfare.~~

~~—— (11) "Identification card" means a card described in Section 53-18-305 that the bureau issues to a licensee.~~

~~—— (12) "Letter of concern" means an advisory letter to notify a constable that, while there is insufficient evidence to support probation, suspension, or revocation of the constable's license, the board believes:~~

~~—— (a) the constable should modify or eliminate certain practices; and~~

~~—— (b) continuation of the activities that led to the complaint may result in further disciplinary action against the constable.~~

~~—— (13) "License" means an original or a renewed license issued under this chapter.~~

~~—— (14) "Licensee" means a person who is licensed to conduct constable work under this chapter.~~

~~—— (15) "Renewal application" means an application to renew a license.~~

~~—— (16) "Unprofessional conduct" means:~~

~~—— (a) engaging or offering to engage by fraud or misrepresentation in any activities regulated by this chapter;~~

~~—— (b) aiding or abetting a person, who is not licensed under this chapter, in representing that person as;~~ To nominate a constable, a county or city described in Subsection (1)(a) shall

establish a nominating commission that consists of:

(a) for a county:

(i) one member of the county legislative body;

(ii) one judge who presides over a court located within the county;

(iii) the county attorney;

(iv) the district attorney; and

(v) one private citizen; and

(b) for a city:

(i) one member of the city legislative body;

(ii) one judge who presides over a court located within the city;

(iii) the city attorney;

(iv) the chief of police; and

(v) one private citizen.

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(3) A nominating commission described in Subsection (2) shall publish notice on the county's or city's public website that:

(a) announces the county's or the city's intent to appoint a constable;

~~(c) gross negligence while conducting constable work;~~

~~(d) committing a felony or a misdemeanor involving any crime that is grounds for disciplinary action under Section 53-18-401, shown by conviction by a court of competent jurisdiction or a plea of no contest; or~~

~~(e) making a fraudulent or untrue statement to the commissioner, board, bureau, or the bureau's investigator;~~

~~Section 6. Section 53-18-103 is enacted to read:~~

~~53-18-103. Commissioner of public safety administers -- Bureau to issue licenses --~~

**Rulemaking:**

~~(1) The commissioner shall administer this chapter.~~

~~(2) The bureau shall:~~

~~(a) issue a license to an applicant when the board determines that the applicant meets;~~~~(b) describes the nomination and subsequent appointment processes; and~~

~~(c) specifies the qualifications for licensure under this chapter;~~

~~(b) notify each constable when required under Section 17-25a-2 to be considered for the appointment.~~

(4) (a) Upon receipt of applications, a nominating commission shall:

(i) review each applicant's credentials;

(ii) by majority vote, determine which applicant is most qualified; and

(iii) report the nominating commission's determination to the legislative body of the county or city.

(b) A county or city legislative body shall either appoint or reject the individual nominated by the nominating commission in accordance with Subsection (4)(a).

(5) The legislative body of a county or city described in Subsection (1)(a) may withdraw a constable's appointment for cause, including if the constable's license is due for renewal;

(c) keep a record of any:

(i) application for licensure, including a statement as to whether the bureau issued a



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~~license to the applicant;~~

~~—— (ii) bond and certificate of liability insurance required under this chapter; and~~

~~—— (iii) order of revocation, suspension, cancellation, denial, or probation, including the date that the order is filed;~~

~~—— (d) maintain:~~

~~—— (i) a list of all current and former licensees whose license the board has revoked, suspended, placed on probation, or canceled; and~~

~~—— (ii) a written record of any complaint filed against a constable; and~~

~~—— (e) investigate any complaint filed against a constable and make recommendations to the board regarding disciplinary actions;~~

~~—— (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commissioner may make rules:~~

~~—— (a) establishing administrative procedures related to license applications and issuance;~~

~~—— (b) establishing an appeals process in accordance with Title 63G, Chapter 4,~~

~~Administrative Procedures Act;~~

~~—— (c) specifying the terms and conditions of a constable's probation; and~~

~~—— (d) establishing standards for any training courses or continuing education that the board may require;~~

~~—— (4) Any record described in this section is open to the public under Title 63G, Chapter 2, Government Records Access and Management Act, except a constable's residential address and telephone number;~~

~~—— Section 7. Section **53-18-104** is enacted to read:~~

~~—— **53-18-104. Constable work -- Deputy constables -- Fees for service.**~~

~~—— (1) A constable may:~~

~~—— (a) attend a justice court when required by contract or court order;~~

~~—— (b) execute, serve, and return all processes directed or delivered to the constable by a judge of any court of the state;~~

~~—— (c) serve any process throughout the state;~~

~~—— (d) serve process when the use of force is authorized or when a breach of peace is imminent or likely under the totality of the circumstances;~~

~~—— (e) contract with a person or a public entity to provide constable work on behalf of the~~

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~~person or the public entity; and~~

~~—— (f) contract with a deputy constable to provide constable work on behalf and under the direction of the constable;~~

~~—— (2) (a) A constable may collect the same fees charged by a sheriff under Section 17-22-2.5 as compensation in civil matters;~~

~~—— (b) A constable may recover fees that exceed the amounts described in Section 17-22-2.5 only if the party requesting constable work approves the increased fees before the constable performs the work;~~

~~—— (c) In litigation for which a constable has charged fees for constable work, a prevailing party may recover from the losing party the constable's fees that exceed the amounts described in Section 17-22-2.5 only if the court finds that the constable work and the increased fees are justifiable;~~

~~—— (3) (a) A constable may collect fees as compensation in criminal matters as follows:~~

~~—— (i) for each copy of a summons, subpoena, notice, court order, or other criminal paper, except a warrant of arrest;~~

~~—— (A) \$5 for each defendant served; and~~

~~—— (B) except as provided in Subsection (3)(b)(i), \$1 per mile for each mile that the constable necessarily travels in going to a defendant's address from the courthouse, or when the constable receives by mail a document described in this Subsection (3)(a)(i), going to the defendant's address from the post office where the constable received the document; and~~

~~—— (ii) for a warrant of arrest;~~

~~—— (A) \$15 for arresting each prisoner and bringing each prisoner into court, or otherwise satisfying a warrant; and~~

~~—— (B) except as provided in Subsection (3)(b)(ii), \$1 for each mile that the constable necessarily travels both in going to and returning from a defendant's address;~~

~~—— (b) (i) When multiple trips are necessary to serve or diligently attempt to serve process described in Subsection (3)(a)(i), a party may compensate a constable for mileage charges for more than one trip only if the party requesting constable work approves the additional mileage charges before the constable makes the additional trips;~~

~~—— (ii) When multiple trips are necessary to serve or diligently attempt to serve a warrant of arrest described in Subsection (3)(a)(ii), a party may compensate a constable for a total of no~~

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~~more than three mileage charges:~~

~~—— (4) A constable shall document each charge individually on the affidavit of return of service.~~

~~—— (5) A constable may enter into a contract for services under which the constable receives less compensation than described in this section.~~

~~—— (6) If a constable serves process in a county other than the county where the process originated, the constable may not charge for travel expenses that exceed the fee that would be charged if the process was served by the sheriff of that county.~~

~~—— Section 8. Section 53-18-201 is enacted to read:~~

### **Part 2. Board**

~~—— **53-18-201. Constable Licensing Board -- Creation -- Qualifications -- Appointments -- Terms -- Immunity.**~~

~~—— (1) There is created a Constable Licensing Board consisting of five members as follows:~~

~~—— (a) two members who are constables;~~

~~—— (b) one member who is an attorney licensed to practice in Utah;~~

~~—— (c) one member who is a chief of police or a sheriff; and~~

~~—— (d) one member of the public for whom a constable is not an immediate family member, a household member, or a personal or professional acquaintance.~~

~~—— (2) The commissioner shall appoint board members in accordance with this section.~~

~~—— (3) Each board member shall, at the time of appointment, be:~~

~~—— (a) a citizen of the United States; and~~

~~—— (b) a Utah resident.~~

~~—— (4) (a) Except as provided in Subsections (4)(b) and (d), a board member appointed under Subsection (2) shall serve a four-year term.~~

~~—— (b) The commissioner shall, at the time of appointment, adjust the length of a board member's term to ensure that the board members' terms are staggered so that approximately half of the board is appointed every two years.~~

~~—— (c) When a board member's term expires, the commissioner shall appoint a new member to a four-year term.~~

~~—— (d) When a vacancy occurs in the board's membership for any reason, the~~

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~~commissioner shall appoint a replacement for the unexpired term.~~

~~—— (e) Except as provided in Subsection (4)(f), a board member may not serve more than one term.~~

~~—— (f) Notwithstanding Subsection (4)(e), the commissioner may reappoint for one full term a board member that the commissioner appointed for an initial term of less than four years under Subsection (4)(b) or appointed to fill a vacancy under Subsection (4)(d).~~

~~—— (5) The commissioner, after a board hearing and recommendation, may remove any board member for misconduct, incompetency, or neglect of duty.~~

~~—— (6) At the board's first meeting every year, the board shall elect a chair, vice chair, and secretary from the board's membership.~~

~~—— (7) A board member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:~~

~~—— (a) Section 63A-3-106;~~

~~—— (b) Section 63A-3-107; and~~

~~—— (c) rules made by the Division of Finance in accordance with Sections 63A-3-106 and 63A-3-107.~~

~~—— (8) Board members are immune from suit with respect to actions taken in good faith and in accordance with this chapter.~~

~~—— Section 9. Section 53-18-202 is enacted to read:~~

~~—— **53-18-202. Powers and duties of board:**~~

~~—— (1) The board shall, in accordance with this chapter:~~

~~—— (a) review an application for a licensee that the bureau submits;~~

~~—— (b) approve or deny an application;~~

~~—— (c) notify the bureau of each application approval or denial, noting the basis for each denial; and~~

~~—— (d) hold a hearing regarding a complaint filed against a constable.~~

~~—— (2) The board may take disciplinary action against a constable in accordance with Part 4, Licensee Discipline and Penalties.~~

~~—— (3) While holding a hearing described in Subsection (1)(d), the board may:~~

~~—— (a) take and hear evidence;~~

~~—— (b) administer oaths and affirmations; and~~

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~~—— (c) compel by subpoena the attendance of witnesses and the production of books, papers, records, documents, electronically stored information, and other information;~~

~~—— Section 10. Section **53-18-203** is enacted to read:~~

~~—— **53-18-203. Board meetings and hearings.**~~

~~—— (1) The board shall meet at the call of the chair, but not less than once each calendar quarter;~~

~~—— (2) A quorum consists of three board members;~~

~~—— (3) If a board member has three or more absences within a 12-month period that the chair does not excuse, the commissioner shall consider removing that member from the board in accordance with Subsection 53-18-201(5);~~

~~—— Section 11. Section **53-18-301** is enacted to read:~~

### ~~**Part 3. Licensing**~~

~~—— **53-18-301. License required to act.**~~

~~—— (1) Except as provided in Subsection (2), a person may not conduct constable work without a license issued by the bureau;~~

~~—— (2) (a) A deputy constable under contract with a constable may conduct constable work on behalf and under the direction of the constable without obtaining a license under this chapter;~~

~~—— (b) A person acting in the capacity of a law enforcement officer as described in Section 53-13-103 is not required to obtain a license to conduct constable work;~~

~~—— (3) A license issued under this chapter is not transferable or assignable;~~

~~—— Section 12. Section **53-18-302** is enacted to read:~~

~~—— **53-18-302. Qualifications for licensure.**~~

~~—— (1) (a) Before approving an application for a license, the board shall ensure that the applicant is:~~

~~—— (i) at least 21 years old;~~

~~—— (ii) a legal resident of Utah;~~

~~—— (iii) a citizen of the United States; and~~

~~—— (iv) a sworn and certified peace officer in accordance with Title 53, Chapter 6, Peace Officer Standards and Training Act;~~

~~—— (b) Before approving an application for a license, the board shall ensure that an~~

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~~applicant has not been:~~

- ~~—— (i) convicted of:~~
- ~~—— (A) a felony;~~
- ~~—— (B) an act involving illegally using, carrying, or possessing a dangerous weapon;~~
- ~~—— (C) an act of personal violence or force on any person;~~
- ~~—— (D) threatening to commit an act of personal violence or force against another person;~~
- ~~—— (E) an act involving moral turpitude;~~
- ~~—— (F) an act constituting dishonesty or fraud; or~~
- ~~—— (G) illegally obtaining or disclosing private, controlled, or protected records as described in Section 63G-2-801;~~

- ~~—— (ii) placed on probation or parole; or~~
- ~~—— (iii) named in an outstanding arrest warrant.~~
- ~~—— (2) If the applicant is currently or was previously licensed in another state or jurisdiction, the board shall ensure the good standing of the applicant's license in that state or jurisdiction.~~

~~—— Section 13. Section **53-18-303** is enacted to read:~~

~~**53-18-303. Application process -- Grounds for denial:**~~

- ~~—— (1) (a) To be considered for a license, an individual shall submit to the bureau an application or a renewal application in a form that the bureau prescribes;~~
- ~~—— (b) The bureau may not accept a renewal application more than 180 days after the day on which a license expires;~~
- ~~—— (c) The bureau shall notify an applicant if the applicant's application is incomplete;~~
- ~~—— (d) (i) Upon notification described in Subsection (1)(c), the applicant shall complete the application process and provide any additional information within 90 days from the day on which the applicant receives the notification;~~
- ~~—— (ii) The bureau shall cancel an application and retain any fees paid by the applicant if the applicant fails to complete the application in accordance with Subsection (1)(d)(i);~~
- ~~—— (iii) An applicant who subsequently applies after a cancellation described in Subsection (1)(d)(ii) shall pay all application and license fees described in Section 53-18-306;~~
- ~~—— (2) Upon receipt of a complete application, the bureau shall submit the application to the board for review;~~

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~~—— (3) The board shall approve an application for a license if the board determines that the applicant meets the qualifications described in Section 53-18-302.~~

~~—— (4) The board may deny an application for a license or a renewal application if the applicant:~~

~~—— (a) has committed an act that, if committed by a licensee, would be grounds for disciplinary action under Part 4, Licensee Discipline and Penalties;~~

~~—— (b) while licensed under this chapter, contracts a person to work as a deputy constable who is not a sworn and certified peace officer;~~

~~—— (c) while not licensed under this chapter, commits, or aids and abets, any act for which a license is required by this chapter; or~~

~~—— (d) knowingly makes a material misstatement in connection with an application or renewal application.~~

~~—— (5) (a) If the board denies an application for a license, the board shall notify the applicant of the denial in writing.~~

~~—— (b) The board shall ensure that the notification described in Subsection (5)(a):~~

~~—— (i) describes the basis for the denial; and~~

~~—— (ii) informs the applicant that the applicant may appeal the denial in accordance with department rule.~~

~~—— Section 14. Section 53-18-304 is enacted to read:~~

~~—— **53-18-304. License issuance -- License period and renewal:**~~

~~—— (1) The bureau shall ensure that each license issued under this chapter:~~

~~—— (a) contains the licensee's name and address and the license number; and~~

~~—— (b) expires two years after issuance.~~

~~—— (2) Before the bureau may issue a license to an applicant that the board approves, the applicant shall submit to the bureau:~~

~~—— (a) a certificate of liability insurance described in Subsection (3)(a);~~

~~—— (b) any fees determined by the bureau under Section 53-18-306; and~~

~~—— (c) a \$10,000 surety bond that:~~

~~—— (i) is in effect throughout the entire licensing period; and~~

~~—— (ii) provides that the issuer of the surety bond is required to notify the bureau if the bond is canceled or expires.~~

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- ~~—— (3) (a) The bureau shall ensure that the liability insurance described in Subsection (2)(a):~~
  - ~~—— (i) protects against liability to third persons;~~
  - ~~—— (ii) contains a limit of liability in an amount of not less than \$500,000;~~
  - ~~—— (iii) is continuous in form and runs concurrently with the license period; and~~
  - ~~—— (iv) provides for notice to the bureau if the liability insurance is canceled or expires.~~
- ~~—— (b) (i) If the bureau receives notice that a licensee's liability insurance expired or has been canceled, the bureau shall cancel the license and notify the licensee that the license is canceled.~~
- ~~—— (ii) The bureau shall reinstate a license canceled under Subsection (3)(b)(i) when the person whose license was canceled:~~
  - ~~—— (A) submits proof of liability insurance for the remainder of the license period to the bureau; and~~
  - ~~—— (B) pays the reinstatement fee described in Section 53-18-306.~~
- ~~—— (4) (a) The bureau may issue a renewed license if:~~
  - ~~—— (i) the board approves the renewal application; and~~
  - ~~—— (ii) the renewing licensee:~~
    - ~~—— (A) pays the fees described in Section 53-18-306; and~~
    - ~~—— (B) provides a certificate of insurance and proof of surety bond as required by this chapter.~~
- ~~—— (b) A person may not engage in constable work during the period between the expiration date of the person's license and the renewal date of the person's license.~~
- ~~—— (5) (a) A licensee shall notify the bureau of any change in the licensee's name or address within 60 days of the date of the change.~~
- ~~—— (b) If a licensee fails to notify the bureau as described in Subsection (5)(a), the bureau shall automatically suspend the licensee's license.~~
- ~~—— (c) In order to relieve the suspension described in Subsection (5)(b), the licensee shall apply to the bureau for reinstatement and pay the fee described in Section 53-18-306.~~
- ~~—— Section 15. Section 53-18-305 is enacted to read:~~
- ~~—— **53-18-305. Identification card.**~~
- ~~—— (1) Upon the issuance of a license under Section 53-18-304, the bureau shall issue an~~



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~~identification card without charge to the licensee.~~

~~—— (2) (a) The board shall create a design for the identification card described in Subsection (1) that includes:~~

~~—— (i) the license number; and~~

~~—— (ii) a current photo of the licensee.~~

~~—— (b) The board shall ensure that the design described in Subsection (2)(a) not resemble any identification card currently in use by a law enforcement agency within the state.~~

~~—— (3) (a) A constable shall carry an identification card when conducting constable work.~~

~~—— (b) Upon request by any person, a constable shall immediately produce the constable's identification card.~~

~~—— Section 16. Section **53-18-306** is enacted to read:~~

~~—— **53-18-306. Fees.**~~

~~—— (1) The bureau shall establish a schedule of fees in accordance with Section 63J-1-504 that may be assessed to recover the bureau's costs to:~~

~~—— (a) process an original license application, including:~~

~~—— (i) processing fingerprints, provided that the amount of the fee does not exceed the amount charged by the Federal Bureau of Investigation for fingerprint processing for the purpose of obtaining federal criminal history record information; and~~

~~—— (ii) conducting a background investigation;~~

~~—— (b) issue a license and an identification card;~~

~~—— (c) process a renewal application; and~~

~~—— (d) reinstate a license.~~

~~—— (2) The bureau shall deposit any fees that the bureau receives under this section into the General Fund as a dedicated credit.~~

~~—— Section 17. Section **53-18-401** is enacted to read:~~

### **Part 4. Licensee Discipline and Penalties**

~~—— **53-18-401. Grounds for disciplinary action.**~~

~~—— (1) The board may discipline a constable if the board finds that the constable:~~

~~—— (a) makes a fraudulent or willful misrepresentation in applying for an original license or license renewal;~~

~~—— (b) uses any letterhead, advertising, or other printed material in any manner~~

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~~representing that the constable is a law enforcement officer or an employee of the United States, any state, or a political subdivision of the state, except to indicate that the constable holds a valid license to conduct constable work;~~

~~—— (c) uses a name different from that under which the constable is currently licensed for any advertising, solicitation, or contract to secure business, unless the name is an authorized fictitious name;~~

~~—— (d) impersonates, permits, or aids and abets a deputy constable to impersonate a law enforcement officer or employee of the United States, any state, or a political subdivision of the state;~~

~~—— (e) knowingly violates, advises, encourages, or assists in the violation of any statute, court order, or injunction in the course of conducting constable work;~~

~~—— (f) falsifies fingerprints or photographs while conducting constable work;~~

~~—— (g) is convicted of:~~

~~—— (i) a felony;~~

~~—— (ii) any act involving illegally using, carrying, or possessing a dangerous weapon;~~

~~—— (iii) any act involving moral turpitude;~~

~~—— (iv) any act of personal violence or force against any person or any conviction of threatening to commit any act of personal violence or force against any person;~~

~~—— (v) any act constituting dishonesty or fraud; or~~

~~—— (vi) any act of illegally obtaining or disseminating private, controlled, or protected records under Section 63G-2-801;~~

~~—— (h) solicits business for an attorney in return for compensation;~~

~~—— (i) is placed on probation, parole, compensatory service, or named in an outstanding arrest warrant;~~

~~—— (j) conducts constable work during the period between the expiration of a license for failure to renew and the reinstatement of the license;~~

~~—— (k) willfully neglects to provide constable work or a report as agreed between the parties for which the client has paid or tendered compensation;~~

~~—— (l) fails or refuses to cooperate with, fails to provide truthful information to, or refuses access to an authorized representative of the department engaged in an official investigation;~~

~~—— (m) contracts a person to work as a deputy constable who is not qualified to be a~~

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~~deputy constable if the person's qualification status is known to the constable or can be determined by reasonable inquiry;~~

~~—— (n) advertises in a false, deceptive, or misleading manner;~~

~~—— (o) refuses to produce the identification card described in Section 53-18-305 to any person that requests validation of the constable's authority to act;~~

~~—— (p) commits any act of unprofessional conduct; or~~

~~—— (q) engages in any other conduct prohibited by this chapter.~~

~~—— Section 18. Section 53-18-402 is enacted to read:~~

~~—— **53-18-402. Complaints against constables -- Investigation -- Disciplinary action:**~~

~~—— (1) Any person may file a complaint against a constable with the bureau.~~

~~—— (2) (a) Upon receipt of a complaint, the bureau shall:~~

~~—— (i) initiate an investigation; and~~

~~—— (ii) mail a copy of the complaint to the constable.~~

~~—— (b) No later than 15 days after the day on which a constable receives a complaint under Subsection (2)(a)(ii), the constable may submit a written response to the bureau.~~

~~—— (3) A constable against whom a complaint is filed shall cooperate with an investigation by providing requested records and truthfully responding to questions during the investigation.~~

~~—— (4) Upon completion of an investigation, the bureau shall:~~

~~—— (a) determine whether the constable committed an act for which discipline is warranted; **peace officer certification is suspended or revoked** under Section ~~53-18-401~~; and~~

~~—— (b) submit a report to the board that summarizes the bureau's findings and, if applicable, provides recommendations for disciplinary action.~~

~~—— (5) Upon receiving the bureau's report described in Subsection (4)(b), the board shall hold a hearing to consider the bureau's findings and recommendations.~~

~~—— (6) (a) If the bureau recommends that the board take disciplinary action, the bureau shall notify the constable of the bureau's recommendation in writing by certified mail.~~

~~—— (b) The bureau shall ensure that the notice described in Subsection (6)(a):~~

~~—— (i) includes the date and time of the hearing during which the board will consider the bureau's recommendation; and~~

~~—— (ii) informs the constable that the board will allow the constable to present testimony and evidence in response to the bureau's recommendation.~~

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~~—— (7) (a) Based on the bureau's report described in Subsection (4)(b), or information the board receives during a hearing described in Subsection (5), the board shall determine whether to:~~

- ~~—— (i) dismiss the complaint if the board finds the complaint is without merit;~~
- ~~—— (ii) issue a letter of concern;~~
- ~~—— (iii) impose a civil penalty not to exceed \$500;~~
- ~~—— (iv) suspend the constable's license;~~
- ~~—— (v) revoke the constable's license;~~
- ~~—— (vi) place the constable on probation; or~~
- ~~—— (vii) place all records, evidence, findings, conclusions, and any other information pertinent to the investigation in the confidential and protected records section of the file that the bureau maintains.~~

~~—— (b) The board shall notify the constable of the board's determination under Subsection (7)(a) in writing by certified mail, return receipt requested.~~

~~—— (8) (a) The bureau shall retain a letter of concern described in Subsection (7)(a)(ii):~~

~~—— (b) The board may use a letter of concern in future disciplinary actions against a constable.~~

~~—— (9) (a) If, during investigation, the bureau finds that a constable's actions pose an immediate threat to public health, safety, or welfare, the bureau may recommend that the board take emergency action before the board holds the hearing described in Subsection (5):~~

~~—— (b) If the board takes emergency action, the board shall issue a written notice to the constable that:~~

- ~~—— (i) states the charges made against the constable;~~
- ~~—— (ii) informs the constable that the constable's license is suspended; and~~
- ~~—— (iii) provides the date and time of the hearing during which the board will consider the bureau's investigation and additional recommendations for disciplinary action, if any.~~

~~—— (10) (a) If the board suspends or revokes a constable's license, or places a constable on probation, the constable shall:~~

- ~~—— (i) terminate any contract between the constable and a deputy constable; or~~
- ~~—— (ii) ensure that no deputy constable performs any constable work until the constable is fully licensed in good standing.~~

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~~—— (b) If a deputy constable commits an act described in Section 53-18-401, the constable shall immediately:~~

~~—— (i) terminate the deputy constable's contract; or~~

~~—— (ii) ensure that the deputy constable does not perform constable work on behalf of the constable.~~

~~—— (11) A constable may appeal the board's decision under this section in accordance with department rule.~~

~~—— (12) The bureau may retain any penalties collected under this section as a dedicated credit.~~

~~—— Section 19. Section 53-18-403 is enacted to read:~~

~~—— **53-18-403. False representation as a constable -- Identifying clothing.**~~

~~—— (1) When conducting constable work, a constable or a deputy constable:~~

~~—— (a) may not wear a uniform, use a title or identification card other than the one issued under this chapter, or make any statement that would lead a reasonable person to believe the constable or deputy constable is connected in any way with the federal government, any state, or any political subdivision, unless the constable has received authorization in writing from a governmental entity to represent a connection to that governmental entity; and~~

~~—— (b) may wear a jacket of a distinctive design or style that bears a printed, embroidered, or otherwise permanently attached symbol, emblem, or insignia that:~~

~~—— (i) clearly identifies the wearer as a constable or a deputy constable; and~~

~~—— (ii) is approved by the board.~~

~~—— (2) When a constable or a deputy constable interacts with a law enforcement officer, the constable or deputy constable shall, at the first opportunity:~~

~~—— (a) identify himself or herself to the law enforcement officer; and~~

~~—— (b) provide identification as a constable or a deputy constable.~~

~~—— Section 20. Section 53-18-404 is enacted to read:~~

~~—— **53-18-404. Penalties.**~~

~~—— A person who conducts constable work without a license is guilty of a class A misdemeanor.~~

~~—— Section 21. Section 76-6-1403 is amended to read:~~

~~—— **76-6-1403. Records of sales and purchases -- Identification required.**~~

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- ~~—— (1) Every dealer shall:~~
- ~~—— (a) require the information under Subsection (2) for each transaction of regulated metal, except under Subsection 76-6-1406(4); and~~
- ~~—— (b) maintain for each purchase of regulated metal the information required by this part in a written or electronic log, in the English language.~~
- ~~—— (2) The dealer shall require the following information of the seller and shall record the information as required under Subsection (1) for each purchase of regulated metal:~~
- ~~—— (a) a complete description of the regulated metal, including weight and metallic description, in accordance with scrap metal recycling industry standards;~~
- ~~—— (b) the full name and residence of each person selling the regulated metal;~~
- ~~—— (c) the vehicle type and license plate number, if applicable, of the vehicle transporting the regulated metal to the dealer;~~
- ~~—— (d) the price per pound and the amount paid for each type of regulated metal purchased by the dealer;~~
- ~~—— (e) the date, time, and place of the purchase;~~
- ~~—— (f) the type and the identifying number of the identification provided in Subsection (2)(g);~~
- ~~—— (g) a form of identification that is a valid United States federal or state-issued photo ID, which includes a driver license, a United States passport, a United States passport card, or a United States military identification card;~~
- ~~—— (h) the seller's signature on a certificate stating that he has the legal right to sell the scrap metal or junk; and~~
- ~~—— (i) a digital photograph or still video of the seller, taken at the time of the sale, or a clearly legible photocopy of the seller's identification;~~
- ~~—— (3) No entry in the log may be erased, deleted, mutilated, or changed.~~
- ~~—— (4) The log and entries shall be open to inspection by the following officials having jurisdiction over the area in which the dealer does business during regular business hours:~~
- ~~—— (a) the county sheriff or deputies;~~
- ~~—— (b) any law enforcement agency; [and]~~
- ~~—— (c) a constable or deputy constable; and~~
- ~~—— [(c)] (d) any [constable or] other state, municipal, or county official in the county in~~

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~~which the dealer does business.~~

~~—— (5) A dealer shall make these records available for inspection by any law enforcement agency, upon request, at the dealer's place of business during the dealer's regular business hours.~~

~~—— (6) Log entries made under this section shall be maintained for not less than three years from date of entry.~~

~~—— (7) (a) The dealer may maintain the information required by Subsection (2) for repeat sellers who use the same vehicle to bring regulated metal for each transaction in a relational database that allows the dealer to enter an initial record of the seller's information and then relate subsequent transaction records to that initial information, except under Subsection (7)(b).~~

~~—— (b) The dealer shall obtain regarding each transaction with repeat sellers:~~

~~—— (i) a photograph of the seller; and~~

~~—— (ii) a signature from the seller.~~

~~—— Section 22. Section 78A-2-305 is amended to read:~~

~~—— **78A-2-305. Effect of filing affidavit -- Procedure for review and collection.**~~

~~—— (1) (a) Upon receipt of the oath or affirmation filed with any Utah court by a prisoner, the court shall immediately request the institution or facility where the prisoner is incarcerated to provide an account statement detailing all financial activities in the prisoner's trust account for the previous six months or since the time of incarceration, whichever is shorter.~~

~~—— (b) The incarcerating facility shall:~~

~~—— (i) prepare and produce to the court the prisoner's six-month trust account statement, current trust account balance, and aggregate disposable income; and~~

~~—— (ii) calculate aggregate disposable income by totaling all deposits made in the prisoner's trust account during the six-month period and subtracting all funds automatically deducted or otherwise garnished from the account during the same period.~~

~~—— (2) The court shall:~~

~~—— (a) review both the affidavit of impecuniosity and the financial account statement; and~~

~~—— (b) based upon the review, independently determine whether or not the prisoner is financially capable of paying all the regular fees and costs associated with filing the action.~~

~~—— (3) When the court concludes that the prisoner is unable to pay full fees and costs, the court shall assess an initial partial filing fee equal to 50% of the prisoner's current trust account~~

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~~balance or 10% of the prisoner's six-month aggregate disposable income, whichever is greater.~~

~~—— (4) (a) After payment of the initial partial filing fee, the court shall require the prisoner to make monthly payments of 20% of the preceding month's aggregate disposable income until the regular filing fee associated with the civil action is paid in full.~~

~~—— (b) The agency having custody of the prisoner shall:~~

~~—— (i) garnish the prisoner's account each month; and~~

~~—— (ii) once the collected fees exceed \$10, forward payments to the clerk of the court until the filing fees are paid.~~

~~—— (c) Nothing in this section may be construed to prevent the agency having custody of the prisoner from withdrawing funds from the prisoner's account to pay court-ordered restitution.~~

~~—— (5) Collection of the filing fees continues despite dismissal of the action.~~

~~—— (6) The filing fee collected may not exceed the amount of fees permitted by statute for the commencement of a civil action or an appeal of a civil action.~~

~~—— (7) If the prisoner is filing an initial divorce action or an action to obtain custody of the prisoner's children, the following procedures shall apply for review and collection of fees and costs:~~

~~—— (a) Upon filing an oath or affirmation with any Utah court by a prisoner, the court shall review the affidavit and make an independent determination based on the information provided whether court costs and fees should be paid in full or be waived in whole or in part. The court shall require a full or partial filing fee when the prisoner's financial information demonstrates an ability to pay the applicable court fees or costs:~~

~~—— (b) (i) If a prisoner's court fees or costs are completely waived, and if the prisoner files an appeal, the court shall immediately file any complaint or papers on appeal and complete all necessary action as promptly as if the litigant had paid all the fees and costs in full.~~

~~—— (ii) If a prisoner is impecunious, the [constable and] sheriff or a constable shall immediately serve any summonses, writs, process and subpoenas, and papers necessary in the prosecution or defense of the cause as if all the necessary fees and costs had been paid in full.~~

~~—— (c) (i) If a prisoner files an affidavit of impecuniosity, the judge shall question the prisoner at the time of the hearing on the merits of the case as to the prisoner's ability to pay.~~

~~—— (ii) If the judge determines that the prisoner is reasonably able to pay court fees and~~



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~~costs, the final order or decree shall be entered, however the prisoner may not seek enforcement or modification of the decree or order until the prisoner has paid the fees or costs in full.~~

~~—— (iii) A judge may waive the restrictions placed on the prisoner in Subsection (7)(c)(ii) upon a showing of good cause.~~

~~—— Section 23. Section 78B-7-406 is amended to read:~~

~~—— **78B-7-406. Fees -- Service of process.**~~

~~—— (1) Protective orders issued under this part shall be served by [the sheriff's office, constable's office] a sheriff, a constable, or any law enforcement agency or peace officer, in accordance with Subsection 78B-7-404(8).~~

~~—— (2) Fees may not be imposed by a court clerk, sheriff, constable, or law enforcement agency for:~~

~~—— (a) filing a petition under this part;~~

~~—— (b) obtaining a protective order under this part; or~~

~~—— (c) service of a protective order issued under this part.~~

~~—— (3) (a) The offices of the court clerk shall provide forms and nonlegal assistance to an individual seeking to proceed under this part.~~

~~—— (b) The Administrative Office of the Courts shall:~~

~~—— (i) develop and adopt uniform forms for petitions and orders for protection in accordance with the provisions of this chapter; and~~

~~—— (ii) provide the forms described in Subsection (3)(b)(i) to the clerk of each court authorized to issue protective orders.~~

~~—— (c) The forms described in Subsection (3)(b)(i) shall include:~~

~~—— (i) a statement notifying the petitioner for an ex parte dating violence protective order that knowing falsification of any statement or information provided for the purpose of obtaining a protective order may subject the petitioner to felony prosecution;~~

~~—— (ii) language stating violating of any criminal provision is a class B misdemeanor; and~~

~~—— (iii) a space for any information the petitioner is able to provide to facilitate identification of the respondent, including social security number, driver license number, date of birth, address, telephone number, and physical description.~~

~~—— (4) If the individual seeking to proceed under this chapter is not represented by an attorney, it is the responsibility of the court clerk's office to provide:~~

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- ~~—— (a) the forms adopted pursuant to Subsection (3);~~
- ~~—— (b) all other forms required to petition for an order for protection, including forms for service;~~
- ~~—— (c) except for as provided by Subsection (5), clerical assistance in filling out the forms and filing the petition, in accordance with Subsection (3)(a);~~
- ~~—— (d) information regarding the means available for the service of process;~~
- ~~—— (e) a list of legal service organizations that may represent the petitioner in an action brought under this part, with the phone numbers of those organizations; and~~
- ~~—— (f) written information regarding the procedure for transporting a jailed or imprisoned respondent to the protective order hearing, including an explanation for the use of transportation order forms when necessary;~~
- ~~—— (5) A court clerk's office may designate any other entity, agency, or individual to provide the service described in Subsection (4)(c), but the court clerk's office is responsible to see that the service is provided;~~
- ~~—— (6) A petition for a dating violence protective order or ex parte dating violence protective order shall be in writing and verified;~~
- ~~—— (7) (a) All protective orders issued under this part shall be issued in the form adopted by the Administrative Office of the Courts under Subsection (3)(b);~~
- ~~—— (b) Each protective order issued under this part, except orders issued ex parte, shall include the following language:~~
- ~~—— "Respondent was afforded both notice and opportunity to be heard in the hearing that gave rise to this order. Pursuant to the Violence Against Women Act of 1994, P.L. 103-322, 108 Stat. 1796, 18 U.S.C.A. 2265, this order is valid in all the United States, the District of Columbia, tribal lands, and United States territories. This order complies with the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act."~~
- ~~—— Section 24. Section **78B-8-302** is amended to read:~~
- ~~—— **78B-8-302. Process servers.**~~
- ~~—— (1) Complaints, summonses, and subpoenas may be served by a person who is:~~
- ~~—— (a) 18 years of age or older at the time of service; and~~
- ~~—— (b) not a party to the action or a party's attorney;~~
- ~~—— (2) Except as provided in Subsection (5), the following may serve all process issued by~~

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~~the courts of this state:~~

~~—— (a) a peace officer employed by a political subdivision of the state acting within the scope and jurisdiction of the peace officer's employment;~~

~~—— (b) a sheriff or appointed deputy sheriff employed by a county of the state;~~

~~—— (c) a constable[, or the constable's deputy] or a deputy constable, serving in compliance with applicable law;~~

~~—— (d) an investigator employed by the state and authorized by law to serve civil process; and~~

~~—— (e) a private investigator licensed in accordance with Title 53, Chapter 9, Private Investigator Regulation Act.~~

~~—— (3) A private investigator licensed in accordance with Title 53, Chapter 9, Private Investigator Regulation Act, may not make an arrest pursuant to a bench warrant.~~

~~—— (4) While serving process, a private investigator shall:~~

~~—— (a) have on the investigator's person a visible form of credentials and identification identifying:~~

~~—— (i) the investigator's name;~~

~~—— (ii) that the investigator is a licensed private investigator; and~~

~~—— (iii) the name and address of the agency employing the investigator or, if the investigator is self-employed, the address of the investigator's place of business;~~

~~—— (b) verbally communicate to the person being served that the investigator is acting as a process server; and~~

~~—— (c) print on the first page of each document served:~~

~~—— (i) the investigator's name and identification number as a private investigator; and~~

~~—— (ii) the address and phone number for the investigator's place of business;~~

~~—— (5) Any service under this section when the use of force is authorized on the face of the document, or when a breach of the peace is imminent or likely under the totality of the circumstances, may only be served by:~~

~~—— (a) a law enforcement officer, as defined in Section 53-13-103; or~~

~~—— (b) a constable, as defined in [Subsection 53-13-105(1)(b)(ii)] Section 53-18-102.~~

~~—— (6) The following may not serve process issued by a court:~~

~~—— (a) a person convicted of a felony violation of an offense listed in Subsection~~

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~~77-41-102(17); or~~

~~—— (b) a person who is a respondent in a proceeding described in Title 78B, Chapter 7, Protective Orders, in which a court has granted the petitioner a protective order;~~

~~—— (7) A person serving process shall:~~

~~—— (a) legibly document the date and time of service on the front page of the document being served;~~

~~—— (b) legibly print the process server's name, address, and telephone number on the return of service;~~

~~—— (c) sign the return of service in substantial compliance with Section 78B-5-705;~~

~~—— (d) if the process server is a peace officer, sheriff, or deputy sheriff, legibly print the badge number of the process server on the return of service; and~~

~~—— (e) if the process server is a private investigator, legibly print the private investigator's identification number on the return of service;~~

~~—— Section 25} 53-6-211.~~

### Section 3. Repealer.

This bill repeals:

{ ~~Section 17-25-1, General powers and duties.~~

‡ Section 17-25-2, Fees for constables -- Civil.

Section 17-25-3, Fees for constables -- Criminal.

{ ~~Section 17-25-4, Constables' fees in criminal cases -- Procedure.~~

~~—— Section 17-25-5, Contracts for constable services.~~

~~—— Section 17-25-6, Identification of constables -- Uniform requirements.~~

~~—— Section 17-25a-1, Constables -- Nomination -- Appointment -- Authority.~~

~~—— Section 17-25a-2, Constable -- Qualifications -- Duties.~~

~~—— Section 17-25a-3, County and city constables -- Terms -- Authority -- Deputies.~~

‡ Section 17-25a-4, Rates recoverable -- Exception.

‡

### Legislative Review Note

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~~Office of Legislative Research and General Counsel~~